IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

FRIDAY, THE 19TH JANUARY 2007 / 29TH PAUSHA 1928

WP(C).No. 17397 of 2006(U)

PETITIONER:

JACOB GEORGE,
THENGUMTHRAYIL HOUSE, 29/3267,
N.H.BYPASS, VYTTILA POST, KOCHI-682 019.

BY ADV. SRI.DEVAN RAMACHANDRAN
SMT.T.G.SEETHAL

RESPONDENTS:

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1. THE PUNJAB NATIONAL BANK,
SHATHABADI BHAVAN, MINI BYEPASS ROAD,
GOVINDAPURAM P.O., KOZHIKODE, REP. BY
THE REGIONAL MANAGER.

2. THE SENIOR MANAGER,
PUNJAB NATIONAL BANK, 40/1461,
MARKET ROAD, ERNAKULAM-682 011.

BY ADV. SRI.K.P.SUDHEER - SC

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO. 17397/2004

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	COPY OF THE REVISED GUIDELINES FOR COMPROMISE DATED 29/01/2003.
EXT.P2	COPY OF THE LETTER ISSUED BY THE 2ND RESPONDENT DATED 28/02/2003 INVITING THE PETITIONER TO SETTLE THE ACCOUNT.
EXT.P3	COPY OF THE LETTER ISSUED BY THE PETITIONER TO THE BANK DATED 14/01/2004.
EXT.P4	COPY OF THE REPLY OF THE BANK TO EXT.P3 LETTER OF THE PETITIONER DATED 20/01/2004.
EXT.P5	COPY OF THE NOTICE ISSUED by the 2ND RESPONDENT INFORMING THE PETITIONER THAT THE SECURED ASSETS WOULD BE TAKEN POSSESSION OF ON OR AFTER 18/06/2004.
EXT.P6	COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT INFORMING THE PETITIONER THAT THE SECURED ASSETS WOULD BE TAKEN POSSESSION OF ON OR AFTER 18/06/2004.
EXT.P7	COPY OF THE LETTER ISSUED by the PETITIONER TO THE 2ND RESPONDENT DATED 22/06/2004.
EXT.P8	COPY OF THE REPLY ISSUED BY THE 2ND RESPONDENT TO EXT.P7 LETTER OF THE PETITIONER DATED 26/06/2004.
EXT.P9	COPY OF THE LETTER ISSUED BY THE PETITIONER DATED 05/07/04 ACKNOWLEDGING THE RECEIPT OF EXHIBIT P8 LETTER.
EXT.P10	COPY OF THE LETTER OF THE BANK ISSUED TO THE PETITIONER DATED 08/07/2004.
EXT.P11	COPY OF THE JUDGMENT IN WP 32165/2004 DATED 09/02/2005.
EXT.P12	COPY OF THE LETTER DATED 25/02/2005 ISSUED BY THE PETITIONER TO THE 2ND RESPONDENT.
EXT.P13	COPY OF THE LETTER DATED 09/06/2005 ISSUED BY THE PETITIONER AS A REMINDER OF EXT.P12 LETTER.
EXT.P14	COPY OF THE LETTER DATED 14/06/2005 ISSUED BY THE 2ND RESPONDENT TO THE PETITIONER.
EXT.P15	COPY OF THE LETTER DATED 09/12/2005 ISSUED BY THE 2ND RESPONDENT.
EXT.P16	COPY OF THE LETTER DATED 26/12/2005 OF THE PETITIONER.

EXT.P17 COPY OF THE LETTER OF THE BANK DATED 03/04/2006.

EXT.P18 COPY OF THE LETTER OF THE PETITIONER DATED 23/05/2006.

EXT.P19 COPY OF THE LETTER OF THE BANK ISSUED TO THE PETITIONER DATED 21/06/2006.

RESPONDENT'S EXHIBITS

EXT.R1(a) COPY OF STATEMENT DATED 10/12/2003 FILED by the 2ND RESPONDENT BEFORE THE BANKING OMBUDSMAN IN COMPLAINT NO.A/2540/PNB/73.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 17397 of 2006

Dated, this the 19th day of January, 2007

J U D G M E N T

The prayer in the writ petition is for a direction to the respondent Bank to communicate the OTS benefit offered by them and to permit him to settle the liability under OTS and for a detailed statement of accounts. Having regard to the fact that the petitioner has repaid substantial portion of the loan and since the loan is only an educational loan, I direct the Bank to give reasonable time to the petitioner to make payment and to settle the liability. Communication in regard to balance liability shall be given to the petitioner within one week from the date of production of a copy of the judgment. All recovery proceedings initiated will be kept in abeyance for six weeks from now. The petitioner shall make payment by then failing which recovery will continue thereafter.

(C.N.RAMACHANDRAN NAIR, JUDGE)

jg.